

E056 Teton River and Tribs Enforcement Area

COMMISSIONER REMARK INDEX

<i>Water Right #</i>		<i>Remark</i>
41O	3547	THE SOURCE OF THIS CLAIM IS WASTEWATER FROM ADJACENT IRRIGATION COLLECTED IN A DITCH. THIS RIGHT DOES NOT INCLUDE THE RIGHT TO MAKE A CALL TO COMPEL CONTINUED RUNOFF.
41O	22035	THE COMBINED FLOW RATE OF THE CLAIMS FOLLOWING THIS STATEMENT SHALL NOT EXCEED 60 GPM PER IRRIGATED ACRE. 22035-00, 22037-00, 22039-00, 22045-00, 22047-00, 22048-00, 22049-00, AND 22050-00
41O	22037	THE COMBINED FLOW RATE OF THE CLAIMS FOLLOWING THIS STATEMENT SHALL NOT EXCEED 60 GPM PER IRRIGATED ACRE. 22035-00, 22037-00, 22039-00, 22045-00, 22047-00, 22048-00, 22049-00, AND 22050-00
41O	22039	THE COMBINED FLOW RATE OF THE CLAIMS FOLLOWING THIS STATEMENT SHALL NOT EXCEED 60 GPM PER IRRIGATED ACRE. 22035-00, 22037-00, 22039-00, 22045-00, 22047-00, 22048-00, 22049-00, AND 22050-00
41O	22045	THE COMBINED FLOW RATE OF THE CLAIMS FOLLOWING THIS STATEMENT SHALL NOT EXCEED 60 GPM PER IRRIGATED ACRE. 22035-00, 22037-00, 22039-00, 22045-00, 22047-00, 22048-00, 22049-00, AND 22050-00
41O	22047	THE COMBINED FLOW RATE OF THE CLAIMS FOLLOWING THIS STATEMENT SHALL NOT EXCEED 60 GPM PER IRRIGATED ACRE. 22035-00, 22037-00, 22039-00, 22045-00, 22047-00, 22048-00, 22049-00, AND 22050-00
41O	22048	THE COMBINED FLOW RATE OF THE CLAIMS FOLLOWING THIS STATEMENT SHALL NOT EXCEED 60 GPM PER IRRIGATED ACRE. 22035-00, 22037-00, 22039-00, 22045-00, 22047-00, 22048-00, 22049-00, AND 22050-00
41O	22049	THE COMBINED FLOW RATE OF THE CLAIMS FOLLOWING THIS STATEMENT SHALL NOT EXCEED 60 GPM PER IRRIGATED ACRE. 22035-00, 22037-00, 22039-00, 22045-00, 22047-00, 22048-00, 22049-00, AND 22050-00
41O	22050	THE COMBINED FLOW RATE OF THE CLAIMS FOLLOWING THIS STATEMENT SHALL NOT EXCEED 60 GPM PER IRRIGATED ACRE. 22035-00, 22037-00, 22039-00, 22045-00, 22047-00, 22048-00, 22049-00, AND 22050-00
41O	35808	DURING A PERIOD OF DROUGHT, THROUGH THE PERIOD OF JUN. 15 TO JUL. 1 OF AN IRRIGATION YEAR, WHEN THE FULL SMITH DITCH IRRIGATION RIGHT IS NEEDED TO SATISY THE PEARSON AND YEAGER IRRIGATION REQUIREMENTS, THE PEARSON'S AND YEAGER'S MAY DIVERT THE FULL SMITH DITCH RIGHT DOWN SAID SMITH DITCH.
41O	35809	THAT PORTION TO BE CHANGED SHALL NOT EXCEED 1000 GALLONS PER MINUTE UP TO 343 AF PER YEAR. TO BE USED FOR SPRINKLER IRRIGATION ON 80 ACRES IN THE S2 OF SEC. 17, AND 75 ACRES IN THE N2 OF SEC 20, T23N, R5W, TETON CO.
41O	113433	DISTRIBUTION OF WATER UNDER THIS CLAIM IS ADMINISTERED AS JUNIOR TO THE FOLLOWING CLAIMS OWNED BY THE TETON CO-OPERATIVE CANAL COMPANY. 41O 192867-00, 41O 192868-00, 41O 192869-00, 41O 192871-00, 41O 192872-00, 41O 192873-00, IMPLIED CLAIM #1, AND IMPLIED CLAIM #2.
41O	113434	DISTRIBUTION OF WATER UNDER THIS CLAIM IS ADMINISTERED AS JUNIOR TO THE FOLLOWING CLAIMS OWNED BY THE TETON CO-OPERATIVE CANAL COMPANY. 41O 192867-00, 41O 192868-00, 41O 192869-00, 41O 192871-00, 41O 192872-00, 41O 192873-00, IMPLIED CLAIM #1, AND IMPLIED CLAIM #2.

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<i>Water Right #</i>		<i>Remark</i>
41O	113467	THE COMBINED FLOW RATE DIVERTED FOR THIS STOCK WATER RIGHT AND COMPANION IRRIGATION CLAIM 41O 113472-00 MAY NOT EXCEED 7.50 CFS DURING THE PERIOD WHEN THE IRRIGATION CLAIM IS IN USE. BETWEEN OCT. 2 AND OCT. 20, THE COMBINED FLOW RATE FOR STOCK CLAIMS 41O 113467-00, 41O 113468-00, 41O 113469-00, AND 41O 113470-00 IS LIMITED TO NO MORE THAN 25 CFS.
41O	113468	THE COMBINED FLOW RATE DIVERTED FOR THIS STOCK WATER RIGHT AND COMPANION IRRIGATION CLAIM 41O 113473-00 MAY NOT EXCEED 5.00 CFS DURING THE PERIOD WHEN THE IRRIGATION CLAIM IS IN USE. BETWEEN OCT. 2 AND OCT. 20, THE COMBINED FLOW RATE FOR STOCK CLAIMS 41O 113467-00, 41O 113468-00, 41O 113469-00, AND 41O 113470-00 IS LIMITED TO NO MORE THAN 25 CFS.
41O	113469	THE COMBINED FLOW RATE DIVERTED FOR THIS STOCK WATER RIGHT AND COMPANION IRRIGATION CLAIM 41O 113474-00 MAY NOT EXCEED 10.00 CFS DURING THE PERIOD WHEN THE IRRIGATION CLAIM IS IN USE. BETWEEN OCT. 2 AND OCT. 20, THE COMBINED FLOW RATE FOR STOCK CLAIMS 41O 113467-00, 41O 113468-00, 41O 113469-00, AND 41O 113470-00 IS LIMITED TO NO MORE THAN 25 CFS.
41O	113470	THE COMBINED FLOW RATE DIVERTED FOR THIS STOCK WATER RIGHT AND COMPANION IRRIGATION CLAIM 41O 113475-00 MAY NOT EXCEED 75.00 CFS DURING THE PERIOD WHEN THE IRRIGATION CLAIM IS IN USE. BETWEEN OCT. 2 AND OCT. 20, THE COMBINED FLOW RATE FOR STOCK CLAIMS 41O 113467-00, 41O 113468-00, 41O 113469-00, AND 41O 113470-00 IS LIMITED TO NO MORE THAN 25 CFS.
41O	136329	A FLOW MEASURED AT THE SENENE OF SECTION 15 OF 70 PERCENT OF THE FLOW NOT TO EXCEED 1,326 GPM FROM THE NORTHWEST BRANCH OF SPRING COULEE CAN BE DIVERTED AT EITHER THE SENENE OF SECTION 15 OR SENWSW OF SECTION 13. THE REMAINING FLOW, OR AT LEAST 30 PERCENT, MUST REMAIN IN SPRING COULEE AND PASS BOTH DIVERSIONS, SENENE OF SECTION 15 AND SENWSW OF SECTION 13, REGARDLESS OF WHETHER DIVERSION OCCURS FROM SECTION 15 OR SECTION 13. WATERS DIVERTED FROM THE SENENE OF SECTION 15 MAY BE USED ON LANDS DESCRIBED IN THIS MATTER AS PIVOTS 1, 2 AND VALLEY, IN SECTIONS 11, 14 AND 15, AND DIVERSION FROM THE SENWSW OF SECTION 13 ON LANDS DESCRIBED IN THIS MATTER AS PIVOTS 3, 4 AND 5, IN SECTIONS 11, 13 AND 14.
41O	136330	A FLOW MEASURED AT THE SESESE OF SECTION 15 OF 70 PERCENT OF THE FLOW NOT TO EXCEED 1,530 GPM CAN BE DIVERTED AT EITHER THE SESESE OF SECTION 15 OR SENWSW OF SECTION 13. THE REMAINING FLOW, OR AT LEAST 30 PERCENT, MUST REMAIN IN SPRING COULEE AND PASS BOTH DIVERSIONS, SESESE OF SECTION 15 AND SENWSW OF SECTION 13, IN ADDITION TO ANY OTHER FLOW REQUIRED AT THE DIVERSION IN THE SENWSW OF SECTION 13. WATER DIVERTED FROM THE SESESE OF SECTION 15 MAY BE USED ON LANDS DESCRIBED IN THIS MATTER AS VALLEY PIVOT, IN SECTION 15, OR FROM THE DIVERSION IN THE SENWSW OF SECTION 13 ON LANDS DESCRIBED IN THIS MATTER AS PIVOTS 3, 4 AND 5, IN SECTIONS 11, 13 AND 14.

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<i>Water Right #</i>		<i>Remark</i>
41O	136331	THE APPROPRIATOR MAY DIVERT 70 PERCENT OF THE FLOW AS MEASURED AT THE HISTORIC DIVERSION LOCATED IN THE NESENW OF SECTION 11, NOT TO EXCEED 1,743 GPM FROM THE NORTH BRANCH OF SPRING COULEE, AT THE DIVERSION LOCATED IN THE SENWSW OF SECTION 13 ONLY. THE REMAINING FLOW, OR AT LEAST 30 PERCENT, MUST REMAIN IN THE NORTH BRANCH OF SPRING COULEE AND PASS THE DIVERSION IN THE SENWSW OF SECTION 13, IN ADDITION TO ANY OTHER FLOW REQUIRED ON SPRING COULEE AS WELL. WATER DIVERTED FROM THE SENWSW OF SECTION 13 MAY BE USED ON LANDS DESCRIBED IN THIS MATTER AS PIVOTS 3, 4 AND 5, IN SECTIONS 11, 13 AND 14.
41O	136332	THE APPROPRIATOR MAY DIVERT 70 PERCENT OF THE FLOW AS MEASURED AT THE HISTORIC DIVERSION LOCATED IN THE NESENW OF SECTION 11, NOT TO EXCEED 1,743 GPM FROM THE NORTH BRANCH OF SPRING COULEE, AT THE DIVERSION LOCATED IN THE SENWSW OF SECTION 13 ONLY. THE REMAINING FLOW, OR AT LEAST 30 PERCENT, MUST REMAIN IN THE NORTH BRANCH OF SPRING COULEE AND PASS THE DIVERSION IN THE SENWSW OF SECTION 13, IN ADDITION TO ANY OTHER FLOW REQUIRED ON SPRING COULEE AS WELL. WATER DIVERTED FROM THE SENWSW OF SECTION 13 MAY BE USED ON LANDS DESCRIBED IN THIS MATTER AS PIVOTS 3, 4 AND 5, IN SECTIONS 11, 13 AND 14.
41O	152412	WHEN THE OLD AND NEW DIVERSIONS ARE BEING OPERATED SIMULTANEOUSLY, AT NO TIME SHALL THE COMBINED FLOW RATE DIVERTED THROUGH SMITH DITCH AND THE PUMP EXCEED THE HISTORICAL AMOUNT. IN OTHER WORDS, IF THE PUMP DIVERSION IS BEING USED, THE AMOUNT OF WATER DIVERTED THROUGH SMITH DITCH MUST BE REDUCED BY THE AMOUNT BEING PUMPED.
41O	152414	WHEN THE OLD AND NEW DIVERSIONS ARE BEING OPERATED SIMULTANEOUSLY, AT NO TIME SHALL THE COMBINED FLOW RATE DIVERTED THROUGH SMITH DITCH AND THE PUMP EXCEED THE HISTORICAL AMOUNT. IN OTHER WORDS, IF THE PUMP DIVERSION IS BEING USED, THE AMOUNT OF WATER DIVERTED THROUGH SMITH DITCH MUST BE REDUCED BY THE AMOUNT BEING PUMPED.
41O	152418	WHEN THE OLD AND NEW DIVERSIONS ARE BEING OPERATED SIMULTANEOUSLY, AT NO TIME SHALL THE COMBINED FLOW RATE DIVERTED THROUGH SMITH DITCH AND THE PUMP EXCEED THE HISTORICAL AMOUNT. IN OTHER WORDS, IF THE PUMP DIVERSION IS BEING USED, THE AMOUNT OF WATER DIVERTED THROUGH SMITH DITCH MUST BE REDUCED BY THE AMOUNT BEING PUMPED.
41O	152425	THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE BASED ON THE SAME NOTICE OF APPROPRIATION AND USE THE SAME HEADGATE. THE COMBINED FLOW RATE FOR THESE RIGHTS IS LIMITED TO THE HISTORICAL FLOW RATE OF 6.25 CFS. USE IS ROTATED BETWEEN EACH CLAIM BASED ON THE NUMBER OF HISTORICALLY IRRIGATED ACRES SERVED BY EACH CLAIM. 41O 152425-00, 41O 22048-00
41O	152439	WATER DIVERTED FROM BLACKLEAF CREEK IN THE POLLOCK DITCH AND IS CONVEYED TO MUDDY CREEK WHICH IS USED AS A NATURAL CARRIER TO SECONDARY PODS IN THE NWSWSW SEC 19, T26N, R7W AND THE NENWNW SEC 30, T26N, R7W AND THE NWSWNW SEC 33, T26N, R7W, TETON CO.

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41O	152456	WATER DIVERTED FROM BLACKLEAF CREEK IN THE POLLOCK DITCH AND IS CONVEYED TO MUDDY CREEK WHICH IS USED AS A NATURAL CARRIER TO SECONDARY POINTS OF DIVERSION IN THE NWSWSW SEC 19, T26N, R7W AND THE NENWNW SEC 30, T26N, R7W AND NWSWNW 33, T26N, R7W, TETON COUNTY.
41O	152459	WATER DIVERTED FROM MUDDY CREEK IS CONVEYED TO OSTLE RESERVOIR, WHERE IT IS STORED AND RELEASED TO RINKER CREEK, WHICH IS USED AS A NATURAL CARRIER TO SECONDARY PODS IN THE NENWSE SEC 34, T26N, R8W, SWNWNE SEC 35, T26N, R8W, AND SWNWNE SEC 35, T26N, R8W, TETON CO.
41O	152465	WATER DIVERTED FROM BLACKLEAF CREEK IN THE POLLOCK DITCH AND IS CONVEYED TO MUDDY CREEK WHICH IS USED AS A NATURAL CARRIER TO SECONDARY PODS IN THE NWSWSW SEC 19, T26N, R7W AND THE NENWNW SEC 30, T26N, R7W AND THE NWSWNW SEC 33, T26N, R7W, TETON CO.
41O	152466	WATER STORED IN OSTLE RESERVOIR IS RELEASED TO RINKER CREEK, WHICH IS USED AS A NATURAL CARRIER TO SECONDARY PODS IN THE NENWSE SEC 34, T26N, R8W, SWNWNE SEC 35, T26N, R8W, AND SWNWNE SEC 35, T26N, R8W, TETON CO.
41O	152468	WATER DIVERTED FROM AN UNNAMED TRIBUTARY OF MUDDY CREEK IS CONVEYED TO RINKER CREEK, WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY PODS IN THE NENWSE SEC 34, T26N, R8W, SWNWNE SEC 35, T26N, R8W, AND SWNWNE SEC 35, T26N, R8W, TETON CO. WATER MAY ALSO BE CONVEYED TO THE POU VIA A DITCH WHICH CROSSES THE N2 SEC 27, T27N, R8W, TETON CO.
41O	152476	WATER DIVERTED FROM BLACKLEAF CREEK IN THE POLLOCK DITCH AND IS CONVEYED TO MUDDY CREEK WHICH IS USED AS A NATURAL CARRIER TO SECONDARY PODS IN THE NWSWSW SEC 19, T26N, R7W AND THE NENWNW SEC 30, T26N, R7W AND THE NWSWNW SEC 33, T26N, R7W, TETON CO.
41O	157744	WATER DIVERTED FROM HARVEY LAKE IN THE SWSWSW SEC 9, T25N, R6W IS CONVEYED THROUGH FARMERS COOPERATIVE CANAL TO A SECONDARY POD IN THE NWNENW SEC 22, T25N, R6W, TETON CO.
41O	181990	THE SOURCE OF THIS CLAIMS IS WASTEWATER FROM ADJACENT IRRIGATION COLLECTED IN A DITCH. THIS RIGHT DOES NOT INCLUDE THE RIGHT TO MAKE A CALL TO COMPEL CONTINUED RUNOFF OF WASTEWATER FROM THE ADJACENT IRRIGATION.
41O	181991	WATER DIVERTED FROM SOUTH FORK WILLOW CREEK (DIVERSION IN SECTION 29) IS CONVEYED TO SOUTH JEFFERSON CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POD IN THE NESESE SEC 27 T24N R8W TETON CO.
41O	181992	WATER DIVERTED FROM SOUTH FORK WILLOW CREEK (DIVERSION IN SECTION 29) IS CONVEYED TO SOUTH JEFFERSON CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POD IN THE NESESE SEC 27 T24N R8W TETON CO.

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<i>Water Right #</i>		<i>Remark</i>
41O	181993	WATER DIVERTED FROM SOUTH FORK WILLOW CREEK (DIVERSION IN SECTION 29) IS CONVEYED TO SOUTH JEFFERSON CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POD IN THE NESESE SEC 27 T24N R8W TETON CO.
41O	181994	WATER DIVERTED FROM SOUTH FORK WILLOW CREEK (DIVERSION IN SECTION 29) IS CONVEYED TO SOUTH JEFFERSON CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POD IN THE NESESE SEC 27 T24N R8W TETON CO.
41O	181995	WATER DIVERTED FROM SOUTH FORK WILLOW CREEK (DIVERSION IN SECTION 29) IS CONVEYED TO SOUTH JEFFERSON CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POD IN THE NESESE SEC 27 T24N R8W TETON CO.
41O	181996	WATER DIVERTED FROM SOUTH FORK WILLOW CREEK (DIVERSION IN SECTION 29) IS CONVEYED TO SOUTH JEFFERSON CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POD IN THE NESESE SEC 27 T24N R8W TETON CO.
41O	181997	WATER DIVERTED FROM SOUTH FORK WILLOW CREEK (DIVERSION IN SECTION 29) IS CONVEYED TO SOUTH JEFFERSON CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POD IN THE NESESE SEC 27 T24N R8W TETON CO.
41O	181998	WATER DIVERTED FROM SOUTH FORK WILLOW CREEK (DIVERSION IN SECTION 29) IS CONVEYED TO SOUTH JEFFERSON CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POD IN THE NESESE SEC 27 T24N R8W TETON CO.
41O	181999	WATER DIVERTED FROM SOUTH FORK WILLOW CREEK (DIVERSION IN SECTION 29) IS CONVEYED TO SOUTH JEFFERSON CREEK WHICH IS USED AS A NATURAL CARRIER TO A SECONDARY POD IN THE NESESE SEC 27 T24N R8W TETON CO.
41O	187168	BASED ON STIPULATIONS FILED WITH THE MONTANA WATER COURT, THIS WATER RIGHT CLAIM MAY ONLY BE EXERCISED TO PLACE A CALL ON JUNIOR WATER RIGHT CLAIMS WHEN THE OWNER OF THIS RIGHT IS MAKING A PRIMARY DIVERSION OF WATER, FROM THE TETON RIVER, FOR IRRIGATION PURPOSES THROUGH THE BURD DITCH HEADGATE IN THE SESESE OF SECTION 10 T24N, R5W, TETON CO., MONTANA. SEE THE CLAIM FILE OR WATER COURT CASE 41O-308 FOR MORE INFORMATION.
41O	192867	THE COMBINED FLOW RATE FOR CLAIMS 41O 192867-00, 41O 192868-00, 41O 192869-00, 41O 192871-00, 41O 192872-00, 41O 192873-00, 41O 30108517, AND 41O 30108518 SHALL NOT EXCEED 75.00 CFS.
41O	192868	THE COMBINED FLOW RATE FOR CLAIMS 41O 192867-00, 41O 192868-00, 41O 192869-00, 41O 192871-00, 41O 192872-00, 41O 192873-00, 41O 30108517, AND 41O 30108518 SHALL NOT EXCEED 75.00 CFS.
41O	192869	THE COMBINED FLOW RATE FOR CLAIMS 41O 192867-00, 41O 192868-00, 41O 192869-00, 41O 192871-00, 41O 192872-00, 41O 192873-00, 41O 30108517, AND 41O 30108518 SHALL NOT EXCEED 75.00 CFS.

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41O	192873	THE COMBINED FLOW RATE FOR CLAIMS 41O 192867-00, 41O 192868-00, 41O 192869-00, 41O 192871-00, 41O 192872-00, 41O 192873-00, 41O 30108517, 41O 30108518 SHALL NOT EXCEED 75.00 CFS.
41O	211241	A FLOW MEASURED AT THE SENENE OF SECTION 15 OF 70 PERCENT OF THE FLOW NOT TO EXCEED 1,326 GPM FROM THE NORTHWEST BRANCH OF SPRING COULEE CAN BE DIVERTED AT EITHER THE SENENE OF SECTION 15 OR SENWSW OF SECTION 13. THE REMAINING FLOW, OR AT LEAST 30 PERCENT, MUST REMAIN IN SPRING COULEE AND PASS BOTH DIVERSIONS, SENENE OF SECTION 15 AND SENWSW OF SECTION 13, REGARDLESS OF WHETHER DIVERSION OCCURS FROM SECTION 15 OR SECTION 13. WATERS DIVERTED FROM THE SENENE OF SECTION 15 MAY BE USED ON LANDS DESCRIBED IN THIS MATTER AS PIVOTS 1, 2 AND VALLEY, IN SECTIONS 11, 14 AND 15, AND DIVERSION FROM THE SENWSW OF SECTION 13 ON LANDS DESCRIBED IN THIS MATTER AS PIVOTS 3, 4 AND 5, IN SECTIONS 11, 13 AND 14.
41O	211242	A FLOW MEASURED AT THE SESESE OF SECTION 15 OF 70 PERCENT OF THE FLOW NOT TO EXCEED 1,530 GPM CAN BE DIVERTED AT EITHER THE SESESE OF SECTION 15 OR SENWSW OF SECTION 13. THE REMAINING FLOW, OR AT LEAST 30 PERCENT, MUST REMAIN IN SPRING COULEE AND PASS BOTH DIVERSIONS, SESESE OF SECTION 15 AND SENWSW OF SECTION 13, IN ADDITION TO ANY OTHER FLOW REQUIRED AT THE DIVERSION IN THE SENWSW OF SECTION 13. WATER DIVERTED FROM THE SESESE OF SECTION 15 MAY BE USED ON LANDS DESCRIBED IN THIS MATTER AS VALLEY PIVOT, IN SECTION 15, OR FROM THE DIVERSION IN THE SENWSW OF SECTION 13 ON LANDS DESCRIBED IN THIS MATTER AS PIVOTS 3, 4 AND 5, IN SECTIONS 11, 13 AND 14.
41O	215201	STOCK WATER USE WILL OCCUR ONLY WHEN THESE DITCHES ARE USED FOR IRRIGATING PRIVATE PROPERTY. THE STATE OF MONTANA SHALL NOT DIVERT WATER INTO THESE DITCHES SINCE THE STOCK WATER IS INCIDENTAL TO IRRIGATION.
41O	215202	STOCK WATER USE WILL OCCUR WHEN THESE DITCHES ARE USED FOR IRRIGATING PRIVATE PROPERTY. THE STATE OF MONTANA SHALL NOT DIVERT WATER INTO THESE DITCHES SINCE THE STOCK WATER IS INCIDENTAL TO IRRIGATION.
41O	215203	STOCK WATER USE WILL OCCUR WHEN THESE DITCHES ARE USED FOR IRRIGATING PRIVATE PROPERTY. THE STATE OF MONTANA SHALL NOT DIVERT WATER INTO THESE DITCHES SINCE THE STOCK WATER IS INCIDENTAL TO IRRIGATION.
41O	30108517	THE COMBINED FLOW RATE FOR CLAIMS 41O 192867-00, 41O 192868-00, 41O 192869-00, 41O 192871-00, 41O 192872-00, 41O 192873-00, 41O 30108517, AND 41O 30108518 SHALL NOT EXCEED 75.00 CFS

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41O 171394 IN COMBINATION, STATEMENTS OF CLAIM 41O 171394-00 AND 41O 178054-00 CAN PROTECT A COMBINED FLOW RATE OF 5.9 CFS UP TO 441.5 AF TO A POINT IN THE NWNENE SECTION 15, TWP 25N, RGE 1W, TETON COUNTY AND A COMBINED CONSUMED FLOW RATE OF 3.54 CFS UP TO 264.9 AF FROM THAT POINT DOWN TO A POINT IMMEDIATELY BELOW USGS GAGE NO. 06108000 IN THE SESESW SECTION 12, TWP 25N, RGE 1E, TETON COUNTY. UNDER THIS RIGHT, THE PERMITTEE MAY PROTECT 5.9 CFS UP TO 147 AF TO THE HISTORICAL POD IN THE NWNENE SECTION 15, TWP 25N, RGE 1W, TETON COUNTY. THE PERMITTEE MAY PROTECT A HISTORICAL CONSUMED FLOW OF 1.18 CFS UP TO 88.2 AF FROM THE HISTORICAL POD TO A POINT IMMEDIATELY BELOW USGS GAGE NO. 06108000 IN THE SESESW SECTION 12, TWP 25N, RGE 1E, TETON COUNTY. EXERCISE OF THIS CHANGE AUTHORIZATION IS SUBJECT TO THREE PRIVATE WATER USE AGREEMENTS AS DESCRIBED IN THE CONSENT AGREEMENTS FILED WITH THE DEPARTMENT ON SEPTEMBER 30, OCTOBER 29 AND OCTOBER 30, 2020. SAID AGREEMENTS ARE INCLUDED IN THE FILE FOR APPLICATION TO CHANGE WATER RIGHT NO. 41O 30138934 BY MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS.

41O 178054 IN COMBINATION, STATEMENTS OF CLAIM 171394-00 AND 41O 178054-00 CAN PROTECT A COMBINED FLOW RATE OF 5.9 CFS UP TO 441.5 AF TO A POINT IN THE NWNENE SECTION 15, TWP 25N, RGE 1W, TETON COUNTY AND A COMBINED CONSUMED FLOW RATE OF 3.54 CFS UP TO 264.9 AF FROM THAT POINT DOWN TO A POINT IMMEDIATELY BELOW USGS GAGE NO. 06108000 IN THE SESESW SECTION 12, TWP 25N, RGE 1E, TETON COUNTY. EXERCISE OF THIS CHANGE AUTHORIZATION IS SUBJECT TO THREE PRIVATE WATER USE AGREEMENTS AS DESCRIBED IN THE CONSENT AGREEMENTS FILED WITH THE DEPARTMENT ON SEPTEMBER 30, OCTOBER 29 AND OCTOBER 30, 2020. SAID AGREEMENTS ARE INCLUDED IN THE FILE FOR APPLICATION TO CHANGE WATER RIGHT NO. 41O 30138934 BY MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS. THE APPROPRIATOR SHALL NOT USE STATEMENT OF CLAIM NO. 41O 148047-00 WHEN STATEMENT OF CLAIM NO. 41O 178054-00 IS IN USE FOR INSTREAM FLOW PROTECTION AS AUTHORIZED IN APPLICATION TO TEMPORARILY CHANGE WATER RIGHT NO. 41O 30138934. STATEMENT OF CLAIM NO. 41O 148047-00 AND STATEMENT OF CLAIM NO. 41O 178054-00 ARE MULTIPLE USES OF THE SAME RIGHT. THE TWO RIGHTS MAY NOT BE USED SIMULTANEOUSLY TO PREVENT AN EXPANSION OF BOTH RIGHTS.

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41O 178147 IN COMBINATION, STATEMENTS OF CLAIM 41O 178147-00 AND 41O 178148-00 CAN PROTECT A COMBINED FLOW RATE OF 8.7 CFS UP TO 504.4 AF TO A POINT IN THE SWNESE SECTION 31, TWP 25N, RGE 9E, CHOUTEAU COUNTY AND A COMBINED CONSUMED FLOW RATE OF 4.35 CFS UP TO 252.2 AF FROM THAT POINT DOWN TO THE CONFLUENCE OF THE TETON AND MARIAS RIVERS IN THE NWSESE SECTION 12, TWP 25N, RGE 9E, CHOUTEAU COUNTY. UNDER THIS RIGHT, THE PERMITTEE MAY PROTECT 4.47 CFS UP TO 252.2 AF TO THE HISTORICAL POD IN THE SWNESE SECTION 31, TWP 25N, RGE 9E, CHOUTEAU COUNTY. THE PERMITTEE MAY PROTECT A HISTORICAL CONSUMED VOLUME OF 126.1 AF UP TO 2.24 CFS FROM THE HISTORICAL POD TO THE CONFLUENCE OF THE TETON AND MARIAS RIVER IN THE NWSESE SECTION 12, TWP 25N, RGE 9E, CHOUTEAU COUNTY. EXERCISE OF THIS CHANGE AUTHORIZATION IS SUBJECT TO THREE PRIVATE WATER USE AGREEMENTS AS DESCRIBED IN THE CONSENT AGREEMENTS FILED WITH THE DEPARTMENT ON SEPTEMBER 30, OCTOBER 29, AND OCTOBER 30, 2020. SAID AGREEMENTS ARE INCLUDED IN THE FILE FOR APPLICATION TO CHANGE WATER RIGHT NO. 41O 30138928 BY MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS.

41O 178054 IN COMBINATION, STATEMENTS OF CLAIM 41O 171394-00 AND 41O 178054-00 CAN PROTECT A COMBINED FLOW RATE OF 5.9 CFS UP TO 441.5 AF TO A POINT IN THE NWNENE SECTION 15, TWP 25N, RGE 1W, TETON COUNTY AND A COMBINED CONSUMED FLOW RATE OF 3.54 CFS UP TO 264.9 AF FROM THAT POINT DOWN TO A POINT IMMEDIATELY BELOW USGS GAGE NO. 06108000 IN THE SESESW SECTION 12, TWP 25N, RGE 1E, TETON COUNTY. UNDER THIS RIGHT, THE PERMITTEE MAY PROTECT 5.9 CFS UP TO 294.5 AF TO THE HISTORICAL POD IN THE NWNENE SECTION 15, TWP 25N, RGE 1W, TETON COUNTY. THE PERMITTEE MAY PROTECT A HISTORICAL CONSUMED FLOW OF 2.36 CFS UP TO 176.7 AF FROM THE HISTORICAL POD TO A POINT IMMEDIATELY BELOW USGS GAGE NO. 06108000 IN THE SESESW SECTION 12, TWP 25N, RGE 1E, TETON COUNTY. EXERCISE OF THIS CHANGE AUTHORIZATION IS SUBJECT TO THREE PRIVATE WATER USE AGREEMENTS AS DESCRIBED IN THE CONSENT AGREEMENTS FILED WITH THE DEPARTMENT ON SEPTEMBER 30, OCTOBER 29 AND OCTOBER 30, 2020. SAID AGREEMENTS ARE INCLUDED IN THE FILE FOR APPLICATION TO CHANGE WATER RIGHT NO. 41O 30138934 BY MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS. THE APPROPRIATOR SHALL NOT USE STATEMENT OF CLAIM NO. 41O 148047-00 WHEN STATEMENT OF CLAIM NO. 41O 178054-00 IS IN USE FOR INSTREAM FLOW PROTECTION AS AUTHORIZED IN APPLICATION TO TEMPORARILY CHANGE WATER RIGHT NO. 41O 30138934. STATEMENT OF CLAIM NO. 41O 148047-00 AND STATEMENT OF CLAIM NO. 41O 178054-00 ARE MULTIPLE USES OF THE SAME RIGHT. THE TWO RIGHTS MAY NOT BE USED SIMULTANEOUSLY TO PREVENT AN EXPANSION OF BOTH RIGHTS.

E056 Teton River and Tribs Enforcement Area

COMMISSIONER REMARK INDEX

Water Right

Remark

41O	178147	<p>IN COMBINATION, STATEMENTS OF CLAIM 41O 178147-00 AND 41O 178148-00 CAN PROTECT A COMBINED FLOW RATE OF 8.7 CFS UP TO 504.4 AF TO A POINT IN THE SWNESE SECTION 31, TWP 25N, RGE 9E, CHOUTEAU COUNTY AND A COMBINED CONSUMED FLOW RATE OF 4.35 CFS UP TO 252.2 AF FROM THAT POINT DOWN TO THE CONFLUENCE OF THE TETON AND MARIAS RIVERS IN THE NWSESE SECTION 12, TWP 25N, RGE 9E, CHOUTEAU COUNTY.</p> <p>UNDER THIS RIGHT, THE PERMITTEE MAY PROTECT 4.47 CFS UP TO 252.2 AF TO THE HISTORICAL POD IN THE SWNESE SECTION 31, TWP 25N, RGE 9E, CHOUTEAU COUNTY. THE PERMITTEE MAY PROTECT A HISTORICAL CONSUMED VOLUME OF 126.1 AF UP TO 2.24 CFS FROM THE HISTORICAL POD TO THE CONFLUENCE OF THE TETON AND MARIAS RIVER IN THE NWSESE SECTION 12, TWP 25N, RGE 9E, CHOUTEAU COUNTY.</p> <p>EXERCISE OF THIS CHANGE AUTHORIZATION IS SUBJECT TO THREE PRIVATE WATER USE AGREEMENTS AS DESCRIBED IN THE CONSENT AGREEMENTS FILED WITH THE DEPARTMENT ON SEPTEMBER 30, OCTOBER 29, AND OCTOBER 30, 2020. SAID AGREEMENTS ARE INCLUDED IN THE FILE FOR APPLICATION TO CHANGE WATER RIGHT NO. 41O 30138928 BY MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS.</p>
41O	178148	<p>UNDER THIS RIGHT, THE PERMITTEE MAY PROTECT 4.23 CFS UP TO 252.2 AF TO A POINT IN THE SWNESE SECTION 31, TWP 25N, RGE 9E, CHOUTEAU COUNTY. THE PERMITTEE MAY PROTECT A HISTORICAL CONSUMED VOLUME OF 126.1 AF UP TO 2.11 CFS FROM THE HISTORICAL POD TO THE CONFLUENCE OF THE TETON AND MARIAS RIVER IN THE NWSESE SECTION 12, TWP 25N, RGE 9E, CHOUTEAU COUNTY.</p> <p>IN COMBINATION, STATEMENTS OF CLAIM 41O 178147-00 AND 41O 178148-00 CAN PROTECT A COMBINED FLOW RATE OF 8.7 CFS UP TO 504.4 AF TO A POINT IN THE SWNESE SECTION 31, TWP 25N, RGE 9E, CHOUTEAU COUNTY AND A COMBINED CONSUMED FLOW RATE OF 4.35 CFS UP TO 252.2 AF FROM THAT POINT DOWN TO THE CONFLUENCE OF THE TETON AND MARIAS RIVERS IN THE NWSESE SECTION 12, TWP 25N, RGE 9E, CHOUTEAU COUNTY.</p> <p>EXERCISE OF THIS CHANGE AUTHORIZATION IS SUBJECT TO THREE PRIVATE WATER USE AGREEMENTS AS DESCRIBED IN THE CONSENT AGREEMENTS FILED WITH THE DEPARTMENT ON SEPTEMBER 30, OCTOBER 29, AND OCTOBER 30, 2020. SAID AGREEMENTS ARE INCLUDED IN THE FILE FOR APPLICATION TO CHANGE WATER RIGHT NO. 41O 30138928 BY MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS.</p>
